

Immigrant Worker Know Your Rights Webinar

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Brazilian Portuguese: Para interpretação int Português.

1. Vá para a barra de controle horizontal na parte inferior da tela. Clique em "Interpretation".
2. Em seguida, clique no idioma que deseja ouvir.
3. Agora você está acessando esta reunião em Português

Cantonese: 若需粵語口譯服務:

1. 與屏幕下方之長方形控制欄中, 煩請點擊"Interpretation."
2. 煩請點擊您所需收聽的語言。
3. 您即可手痛粵語的會議口譯。

Haitian Creole: Pou entèpretasyon Kreyòl ayisyen,

1. Ale nan kontwòl ba nan pati anba ekran an epi Klike sou "Interpretation"
2. Apre sa, klike sou lang ke ou ta renmen tande a.
3. Kounye a ou gen aksè a reyinyon an Kreyòl ayisyen

Spanish: Para traducción en Español,

1. Vaya a la parte baja de la pantalla, en la barra horizontal, y presione la tecla "Interpretation".
2. Luego seleccione el idioma que desea escuchar.
3. Después de seleccionar, usted entrará a la reunión en el idioma "Español".

Nepali : नेपाली भाषामा सुन्नलाई,

1. तपाईंको स्क्रिनको तल तेर्सो कन्ट्रोल बार मा जानुहोस् र पृथ्वीको गोलो नक्सा (कम्प्युटर मा भए) अथवा More लेखेको निर (फोनमा भए) ठाडो तीन वटा थोपलो लाई रोज्नुहोस्. अब "Interpretation" मा क्लिक गर्नुहोस्।
2. र तपाईंले सुन्न चाहेको भाषालाई क्लिक गर्नुहोस्।
3. अब तपाईं यो मीटिंग नेपालीमा सुन्दै हुनुहुन्छ।

1.



2.

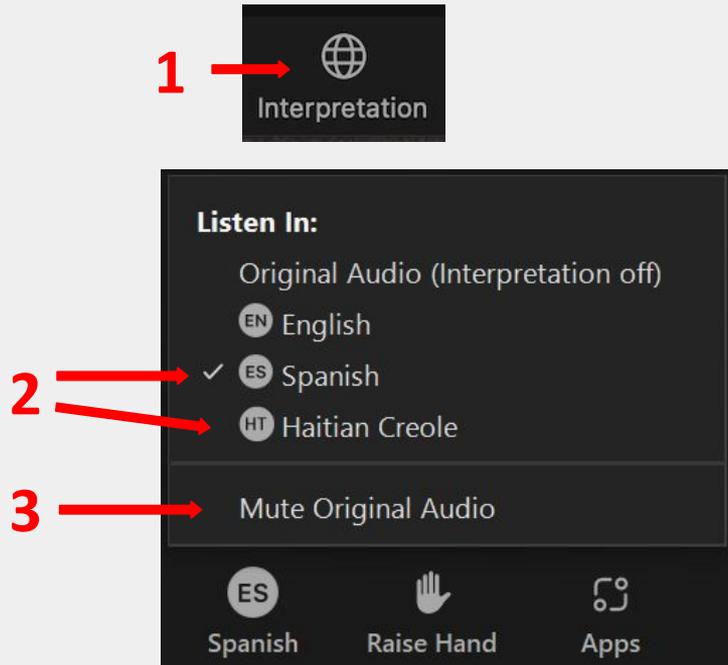


3.

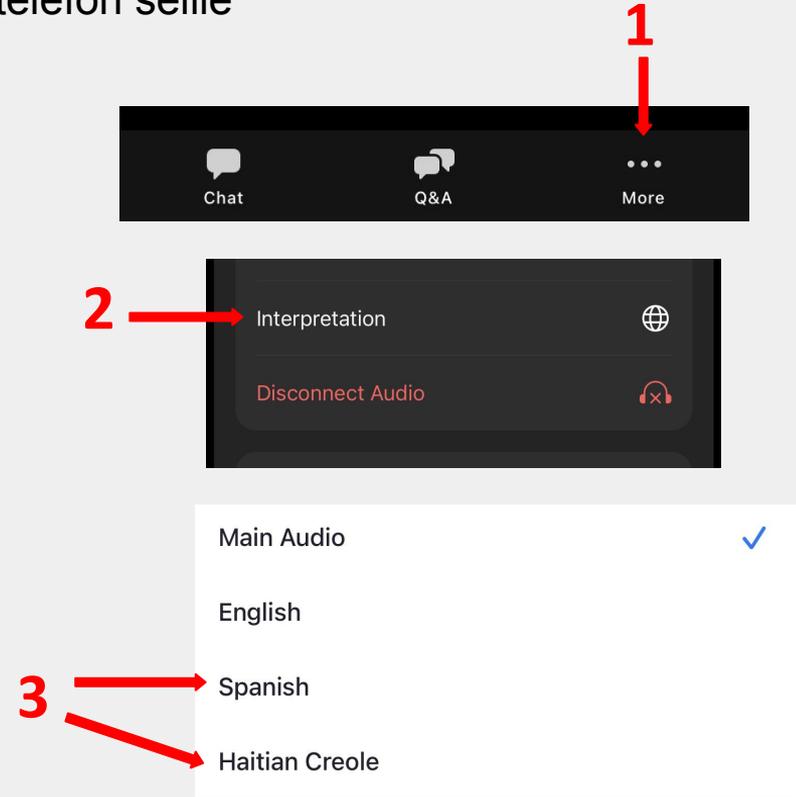


Interpretation / Interpretación / Entèpretasyon

On a computer / En la computadora /
Nan òdinatè a



On a phone / En el teléfono celular /
Sou telefòn selilè



The Worker Empowerment Cabinet advances the well-being of Boston workers in the public and private sectors. Our goals include:

- setting the City's future policy and vision for workers
- regulating, overseeing, and improving workplace conditions and health for workers, and
- expanding economic opportunities for workers through quality jobs, skills training, and career pipelines.

Trinh Nguyen, Chief of Worker Empowerment Office of Mayor Michelle Wu



Worker
Empowerment



Workforce
Development



Center for
Working Families



Labor Compliance
and Worker Protections



Youth Employment
and Opportunity



Since 1995, the **Brazilian Worker Center** has supported immigrants in defending and advancing their labor and immigrant rights.

The Brazilian Worker Center focuses on advocating for immigrants, workers, and domestic workers' rights, health and safety, and youth entrepreneurship. BWC was crucial in passing a law allowing driver's licenses regardless of immigration status and still working towards its implementation.



braziliancenter.org



[/brazilianworkercenter](https://www.facebook.com/brazilianworkercenter)

Massachusetts Coalition for Occupational Safety & Health

MassCOSH brings together workers and allies to organize and defend safe and healthy jobs and communities, through trainings, technical assistance, building community/labor alliances, and developing leaders in the movement.

- TL@W: Teens Lead at Work
- Immigrant Worker Center
- Union Education and Organizing
- Healthy Schools Initiative
- Families of Fallen Workers Support Services
- Training and Technical Assistance

If you need help call our hotline:

(617) 505-8940



Mass**COSH**

www.masscosh.or





Worker Center 工人互助中心

We help workers learn about and fight for the rights on the job or on the unemployment line. We organize the unorganized through collective action, develop workers' voices in the policy arena, and strengthen the leadership role of Chinese workers in the community and society.

我們的目的是團結華工爭取應有的權益，及聯合其他社區和族裔的勞工，互相配合和支持。工人互助中心組織個體和失業者等華工參與工會活動，加強勞工運動的聲勢。我們也推廣工人權益的宣傳教育，加強在制訂勞工政策上的影響力，樹立工人在社區內的領袖角色。

CPA Drop-in service hours 華人前進會對外服務時間

- Mon to Wed: 9 am to 5 pm
週一至三：早上9時至下午5時
- Sat: 10 am to 12 am
週六早上10時至中午12時

Tel 電話: 617-433-8522; 617-357-4499

Website 網站: www.cpaboston.org

Email 電郵: justice@cpaboston.org



Matahari

Women Workers' Center

Matahari is a grassroots organization working to end the exploitation of women and femme workers by organizing domestic workers and restaurant workers.

We are an energetic community who support each other to learn about and defend the rights of migrant and women workers.

We offer training on labor rights, campaign design, individual coaching and support with labor disputes.



Immigrant Workers' Rights



GREATER BOSTON
LEGAL SERVICES

... and justice for all

As an immigrant
worker, do I have
rights?

Almost all workplace rights under both
Massachusetts and United States law
apply to *all* workers, *regardless of
immigration status!*

What are my workplace rights?

To be paid on time and correctly (including minimum wage and overtime pay)

To work without being sexually harassed

To work without being treated differently because of your race, national origin, color, sex, religion, disability, sexual orientation, gender identity, or age

To be able to join together with co-workers to organize and ask for improvements to pay or working conditions

To work in a safe and healthy workplace

If injured at work: To report the injury, get medical care, and file a workers' compensation claim

What are my workplace rights? (continued)

To receive paid family & medical leave (if paid on a W-2 with taxes deducted)

To earn sick time (up to 40 hours/year), paid if your employer has 11 or more employees

To work voluntarily, without being forced to work through threats of harm

Child labor: Youth under age 18 cannot do certain types of dangerous work or work long, early, or late hours

One exception for undocumented immigrants: If you do not have work authorization, you cannot receive unemployment benefits

What is illegal retaliation?

Your employer cannot retaliate against you for asserting any of your workplace rights!

Illegal retaliation includes:

- Calling or threatening to call immigration or the police
- Threatening to get a worker deported
- Threatening a worker or their family with physical or any other type of harm
- Firing a worker
- Reducing pay or hours

As an undocumented immigrant, how can I be protected when I raise my workplace rights?

Workers who file a workplace rights complaint or provide support for a government investigation may be able to receive immigration protections including:

- Temporary legal status and work authorization: A new Department of Homeland Security program provides two years of deferred action for workers involved in workplace-related government investigations
- T visas for survivors of labor trafficking (forced labor)
- U visas for survivors of certain other workplace-related crimes such as witness tampering and obstruction of justice

How do I get help?

- Worker centers
- Government agencies, including Massachusetts Attorney General's Office & U.S. Department of Labor
- Organizations that provide free legal representation, including Greater Boston Legal Services:

www.gbls.org

(617) 371-1234





Workers' Rights

Cindy Molina, Investigator

Office of Attorney General

Andrea Joy Campbell

Fair Labor Division (FLD)



The Attorney General's Office

The Attorney General's Office is an advocate and resource
for ALL residents of Massachusetts.

- protecting consumers
- combating fraud and corruption
- investigating and prosecuting crime
- protecting the environment, workers, and civil rights

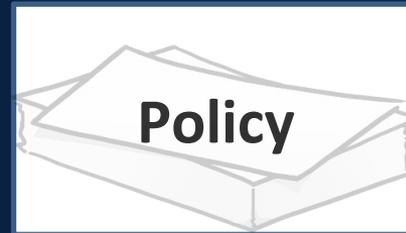




How we work?

How:

Four Major Ways this Work is Executed





Where the AGO is located?



Boston

New Bedford

Springfield

Worcester



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Restaurant and Service Employees

\$6.75 per hour

- Minimum wage of \$15.00 still applies
- Pay + Tips must = at least \$15.00 per hour
- Employer makes up any difference



Overtime

For most hourly and salaried employees:

- If you work more than 40 hours a week, you must be paid 1.5 times your hourly rate for every hour worked over 40.
 - If your hourly rate is \$16/hour, your overtime rate is \$24/hour for hours over 40
- There are some exceptions to overtime laws
- Check federal laws for coverage



Travel Time

- Travel between home and work is not paid
- Travel during a workday is paid
- Must be paid transportation expenses for workday travel



Meal Break

- Unpaid 30-minute break after 6 hours of work
- Must be free to leave the workplace
- Can voluntarily give up the meal break, but must be paid for time worked

The FLSA and the U.S. Department of Labor

FLSA – Who Does It Protect?

- “Employees” of covered employers regardless of immigration status
- “Employees” – an employment relationship exists between an “employer” and the “employee”
- A worker may be an “employee” of multiple persons or business entities

FLSA – Protections

- Minimum wage (currently \$7.25) for all hours worked
- Overtime (1.5x regular rate) for all hours > 40 in workweek
- Recordkeeping
- Anti-retaliation
- Child labor protections

Resources

- Boston Regional Solicitor's Office Webpage (<https://www.dol.gov/agencies/sol/about/regions/boston>)
- The Wage and Hour Division's Webpage
 - Main Page (<https://www.dol.gov/agencies/whd>)
 - Worker's Rights (<https://www.dol.gov/agencies/whd/workers>)
 - U and T Visa FAQs (<https://www.dol.gov/agencies/whd/immigration/u-t-visa/faq>)
- DOL News Releases (<https://www.dol.gov/newsroom/releases>)
- DOL Letters of Interest to DHS (<https://www.dol.gov/sites/dolgov/files/OASP/files/Process-For-Requesting-Department-Of-Labor-Support-FAQ.pdf>)

Questions?

My contact information:

Scott Miller

U.S. Department of Labor

Boston Regional Solicitor's Office

miller.scott.m@dol.gov

(617) 565-9031

US DOL OSHA

- Braintree Area Office 617.565.6924
- OSHA After Hours 800.321.OSHA
- Braintree has the ability to answer calls in Spanish and Portuguese
- Federal law entitles every worker a safe workplace.
- Employees have a right to be trained in a language they understand.
- Workers have the right to speak with the OSHA inspector privately.
- Workers have a right to report an injury.
- Workers have rights, regardless of status, language,....

US DOL OSHA

- Workers have a right to personal protective equipment – gloves, safety glasses, fall protection equipment.
- Workers can file a complaint online at www.osha.gov
- Employees have protections under section 11(c) of the Act – employees can't be retaliated against for making a safety/health complaint.
- Examples of retaliation – reduced pay, less hours, fired, layoff.
- Many ways to file a whistleblower complaint – visit an office, online, by fax, mail, or simply call and speak with a compliance officer.

Questions and Answers



THANK YOU

For more information:
workers@boston.gov

